

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>U.S. BEVERAGE, INC.</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 2:06-CV-496-SRW</b>
	)	
<b>JOHN BUSTER WALKER, II; and TRIDENT MARKETING, INC.;</b>	)	
	)	
	)	
<b>Defendants.</b>	)	
<b>JOHN BUSTER WALKER, II; and TRIDENT MARKETING, INC.;</b>	)	
	)	
	)	
<b>Counterclaim Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>U.S. BEVERAGE, INC.;</b>	)	
	)	
<b>Counterclaim Defendant,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>GRADY DOWLING KITTRELL; THOMAS GOING CLARK, III; and NORMAN“Buddy” TODD;</b>	)	
	)	
	)	
<b>Third Party Defendants.</b>	)	


**DENDANTS’ MOTION FOR PERMISSION TO FILE REPLY BRIEF**

On March 16, 2007, all parties to the above referenced case filed briefs in support of their respective motions for preliminary injunction. Defendants John B. Walker, II and Trident Marketing, Inc., as Counterclaim Plaintiffs, filed a brief in support of their motion for a preliminary injunction against Counterclaim Defendant and Third Party Defendants related to the ownership of the trademark Juice Alive®. On the same day, Plaintiff U.S. Beverage, Inc. filed a

brief in support of its motion for preliminary injunction. Plaintiff U.S. Beverage, Inc. argued among other things that Walker's stock be cancelled and/or that this Court should award damages and final relief at the preliminary injunction hearing. Defendants would like to have the opportunity to respond in writing to Plaintiff's arguments and factual assertions. Defendants believe that a reply brief will be helpful to this Court in deciding issues related to the parties' respective requests for preliminary injunction.

The Court's briefing order did not give a date on which parties may file a reply brief. Defendants John B. Walker, II and Trident Marketing, Inc. respectfully ask this Court to allow them to file a reply brief to respond to the arguments and factual assertions contained in Plaintiff's brief. Defendants respectfully ask that they be given until Thursday April 5, 2007 to file a reply brief.

RESPECTFULLY SUBMITTED this the 23<sup>RD</sup> day of MARCH 2007.

  
Raymond L. Jackson, Jr. (JAC054)  
Attorney for John B. Walker, II, and  
Trident Marketing, Inc.

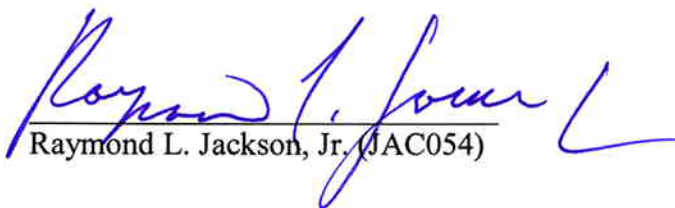
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**CERTIFICATE OF SERVICE**

I certify that on this the 23<sup>rd</sup> day of March 2007 a copy of the foregoing pleading was served upon all counsel of record through the EMCS electronic filing system and/or by placing said copy in First Class U.S. Mail with postage prepaid to the following addresses:

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